
EXHIBIT A TO DECLARATION OF VIRGINIA K. DEMARCHI

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April 11, 2008

VIRGINIA K. DEMARCHI

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VIA EMAIL AND U.S. MAIL

Debra R. Bernard, Esq.
Perkins Coie LLP
131 S. Dearborn Street
Suite 1700
Chicago, Illinois 60603-5559

Re: *Joby, Inc. v. Tocad America, Inc.*

Dear Debra:

As I indicated during my first conversation with you and your colleague Mike Warnecke in this matter on March 31, 2008, Joby is willing to accommodate reasonable requests for expedited discovery in connection with the preliminary injunction proceeding. Although Tocad has not yet made any such requests, I suggested during our call yesterday that Joby would be willing to search for and produce documents on an expedited basis in the following categories:

1. Communications with customers, retailers and distributors regarding confusion as to the source, sponsorship or quality of Tocad's flexible tripods, and other flexible tripods.
2. Documents sufficient to show the number of units of the Gorillapod sold.
3. Advertising, marketing and promotion of the Gorillapod, and documents sufficient to show the costs of same.
4. Documents sufficient to identify retailers and distributors to whom Joby has sold the Gorillapod.
5. Design and development of the Gorillapod.

In exchange, we ask that Tocad reciprocate by searching for and producing the following documents to Joby on an expedited basis:


1. Communications with customers, retailers and distributors regarding confusion as to the source, sponsorship or quality of Tocad's flexible tripods and monopods, including any communications with customers that refer to Joby or the Gorillapod.

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2. Documents sufficient to show the number of units of the FlexPod product line and the FlexPod Plus product line, respectively, sold by Tocad and remaining in inventory.
3. Advertising, marketing and promotion of Tocad's flexible tripods and monopods, and documents sufficient to show the costs of same.
4. Documents sufficient to identify retailers and distributors to whom Tocad has sold its flexible tripods and monopods.
5. Design and development of the FlexPod product line and the FlexPod Plus product line, including documents referring or relating to the Gorillapod.

Please advise if Tocad is interested in a stipulated exchange of the documents described above in connection with the preliminary injunction proceeding, and if so, when it will be in a position to produce this material to Joby. I should be able to confirm next week regarding our anticipated timing for production of Joby's documents in these categories.

Sincerely,



Virginia K. DeMarchi

cc: Michael O. Warnecke